

### **REMARKS**

In this reply, claims 27 and 34 have been amended to overcome the Examiner's rejections and distinguish over the cited art. Claim 33 has been canceled. Accordingly, claims 27-32 and 34-35 remain pending in the application.

#### **Claim Rejections - 35 U.S.C. § 102**

Pursuant to the Office Action at page 2, claims 27, 29 and 33-35 stand rejected under 35 U.S.C. §102(b) as being anticipated by McMurray (4,745,912).

Specifically, the Office Action states that McMurray discloses a non-fray medical bandage including the substrate construction as claimed, a reactive system applied to the substrate, fabric extensibility, and a foil pouch that is interpreted as being hydrophobic fiber that encases the substrate to protect the substrate until removal.

Claims 27 and 34 have been amended to require both a tubular wrapping enclosing the substrate that remains after removal from a foil sleeve for padding of the cured substrate, as well as a three-layer moisture-impervious foil sleeve enclosing the substrate and tubular wrapping therein. Support for the tubular wrapping and its construction can be found in at least paragraph [0034] of the specification. Support for the foil sleeve and its three-layer construction can be found in at least paragraph [0033] of the specification. Thus, the claims amendments are fully supported in the specification as filed.

The separate tubular wrapping and foil sleeve requirements as claimed distinguish over the single protective foil pouch (82) of McMurray. Although it may be the position of the Examiner that the foil pouch of McMurray anticipates a foil sleeve element, the specific foil sleeve claimed includes structure not disclosed in McMurray, and the requirement of a tubular wrapping element in addition to the foil sleeve clearly distinguishes the tubular wrapping from the foil pouch of McMurray as suggested by the Examiner. Thus, as amended, the claims require both a tubular wrapping for cast padding that remains with the substrate for patient comfort, and a discarded foil sleeve for protecting against moisture until use. In contrast, although McMurray discloses a bandage maintained within a foil pouch until use, McMurray fails to disclose a tubular wrapping positioned over the resin-applied bandage for padding that remains with the bandage during use, and thus does not anticipate claims 27 and 34 as

amended.

Accordingly, Applicant submits that the rejection of claims 27, 29 and 33-35 under 35 U.S.C. §102(b) have been overcome by the amendments, and solicits the Examiner to withdraw the rejection.

### **Claim Rejections - 35 U.S.C. § 103**

Pursuant to the Office Action at pages 3-5, claims 28 and 30-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over McMurray in view of Effenberger et al. (5,141,800), in view of Weinle et al. (4,818,316), and in view of Parikh et al. (5,133,199).

Specifically, the Office Action states that the claimed weight percentages of the stitch materials, parameters and performance of the substrate element of the claim are within the workable ranges of one skilled in the art when applying the prior art references of record. Applicant submits that claims 28, 30-31 and 32 are dependent upon amended claims 27 and 34, and thus include the limitations of an independent tubular wrapping and three-layer foil sleeve, neither of which are disclosed in McMurray, Effenberger et al., Weinle et al., and Parikh et al., when taken either alone or in combination.

Accordingly, Applicant submits that the rejection of claims 28 and 30-32 under 35 U.S.C. §103(a) have been overcome by the amendments to claims 27 and 34, and solicits the Examiner to withdraw the rejection.

### **Conclusion**

This amendment is believed to be fully responsive to the Office Action and places the claims in condition for allowance. The Examiner is encouraged to contact the undersigned directly to resolve any remaining issues. This response is being timely filed and does not include more claims than paid for previously. If there are any fees due in connection with the filing of this response not already accounted for, the Examiner is authorized to charge any such fees to Deposit Account No. 01-0265. Any overpayment or refund should be credited to Deposit Account No. 01-0265.

Respectfully submitted,

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